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James Kay Thomas

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MARSHALL UNIVERSITY

HUNTINGTON, WEST VIRGINIA 25701

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ORAL HISTORY

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J. K. Thomas
(Signature - Interviewee)

11 Norwood Rd
Address

Charleston W. Va

Date 3-2-82

John G. Morgan
(Signature - Witness)





MARSHALL UNIVERSITY

ORAL HISTORY OF APPALACHIA

HUNTINGTON, WEST VIRGINIA 25701

The Marshall University Oral History of Appalachia Program is an attempt to collect and preserve on tape the rich, yet rapidly disappearing oral and visual tradition of Appalachia by creating a central archive at the James E. Morrow Library on the Marshall campus. Valued as a source of original material for the scholarly community, the program also seeks to establish closer ties between the varied parts of the Appalachian region—West Virginia, Virginia, Ohio, and Kentucky.

In the Spring of 1972, members of the Cabell-Wayne Historical Society joined with Dr. O. Norman Simpkins, Chairman, Department of Sociology and Anthropology, and Dr. Michael J. Galgano of the Department of History in establishing the program. The Historical Society and other community organizations provided the first financial support and equipment. In April 1974, the Oral History program received a three year development grant from the Marshall University Foundation allowing for expansion and refinement. In 1976, the program became affiliated with New York Times Microfilm Corporation of America. To date, approximately 4,200 pages of transcribed tapes have been published as part of the New York Times Oral History Program. These materials represent one of the largest single collections of Appalachian oral materials in existence. Royalties earned from the sale of the transcripts are earmarked for the continuation of the program.

The first interviews were conducted by Marshall University History and Sociology students. Although students are currently involved in the program, many interviews are conducted by the Oral History staff. Graduate students are strongly encouraged to participate in the program by taking special topic courses in oral history under the supervision of Dr. Robert Maddox, program director since September 1978.

The program seeks to establish contacts with as broad a variety of regional persons as possible. Farmers, physicians, miners, teachers, both men and women all comprise a significant portion of the collection. Two major types of interviews have been compiled: the whole life and the specific work experience. In the whole life category, the interviewer attempts to guide subtly the interviewee through as much of his or her life as can be remembered. The second type isolates a specific work or life experience peculiar to the Appalachian region and examines it in detail. Although both types of interviews are currently being conducted, emphasis is now placed on the specific work experience. Recent projects are concerned primarily with health care, coal mining, and the growth of labor organizations.

Parts II and III of the Oral History of Appalachia collection were compiled by Dr. Robert F. Maddox, Director, and processed by Ms. Brenda Perego.

Dr. Robert F. Maddox, Director
Ms. Brenda Perego, Processor

James Thomas

JM: This is an interview with Mr. James Kay Thomas in his office in Charleston on March 2, 1982. The interview is conducted by John Morgan of The Charleston Gazette. Now you were born in Charleston on February 23, 1902.

JT: In the house, the only one still standing at 1112 Virginia Street East, right across from the Presbyterian Church. That house is still, I was born in my grandfather's house. I was born in 1902, and my grandfather ran the coal company over at Kayford. There was a strike on, so my mother was pregnant, and he didn't want to stay up there. So he brought her down to his home and that's why I was born in Charleston.

JM: Where were your parents living then?

JT: Where were my parents living, Kayford.

JM: Now what was your grandfather's name?

JT: James Kay.

JM: So you obviously were named for him.

JT: I was his first grandson.

JM: Are you related to Bob Kay, Robert H.C. Kay?

JT: Oh yes, Bob Kay's father and, as we called my grandfather, were brothers.

JM: And his father was named . . .

JT: John Kay.

JM: And your grandfather was . . .

JT: James Kay.

JM: Now what were your parents' names?

JT: Mr. and Mrs. George E. Thomas. She was Mr. Kay's daughter.

JM: What was her given name, your mother's first name?

JT: Jean.

JM: Do you remember any childhood events that happened around Charleston?

JT: Well, I guess there has been a lot of them. We lived in the coal fields. My mother was raised at Prince, West Virginia. My grandfather was running the Royal Coal Company there at Prince. He was the person who carried the coal from one side of New River over to where the C&O. They used to have to go through this, my mother has told me this many times, stretch-your-neck tunnel to school every day. And then we moved from there to Charleston.

JM: Do you know about when that was, or about how old you were at the time?

JT: I was born in 1902, and oh that would be, my mother was married in 1899 and we left the creek and came down here. We bought a place on Shrewsbury Street and lived on Shrewsbury Street there for awhile, and then we moved up on to Lee Street, right there below the church there.

JM: The Lutheran Church.

JT: The Lutheran Church.

JM: What is that, Bradford Street.

JT: Bradford is below Beauregard.

JM: Beauregard, yeah.

JT: My wife and her sister owned a double frame house there. It's still there. We lived there for awhile and then in 1913 my dad built a home over on Virginia Street.

JM: Is it still there, the home on Virginia Street.

JT: Oh yeah.

JM: You know what address that is?

JT: 1417. We sold it after dad and mother both died. We

sold it to a church back there on the boulevard. It was right behind us. They later sold it to somebody else. I haven't followed up on it.

JM: Did you go to grade school here in Charleston?

JT: Yes.

JM: Which school was it?

JT: My first grade school was Mercer, out on Washington Street. Then to Junior high where it still is, at Morris and Quarrier. Then I went to the one down, that is gone now, but remember the school that was right across from the Episcopal Church there, was destroyed and turned into a parking lot here a few years ago. I went to school there.

JM: I thought that was Mercer School.

JT: They did call it. It was Mercer School, but the old Mercer School was over on Washington Street.

JM: I see, so you went to junior high there.

JT: Yeah, then went to school at what is now called Roosevelt, I believe, at Quarrier and Morris.

JM: That's Thomas Jefferson, isn't it?

JT: Thomas Jefferson, yeah.

JM: Roosevelt is on out on Jackson and . . .

JT: Oh yeah, it's out on Jackson.

JM: Jackson and Ruffner.

JT: I went to school there and I got my diploma there. Rocco Gorman was one of my sponsors there at that time. I went to Washington and Lee in 1920.

JM: Did you graduate from Charleston High?

JT: Charleston High, yeah.

JM: Okay, then you studied law at Washington and Lee. You got

your law degree there.

JT: Yeah, I took three years of academe, then it took five years to get a law degree in those days. I graduated in 1926.

JM: Well, I understand you were quite a football player there, too.

JT: I was the only all-American on Walter Camp's selection ever from West Virginia, up to that time, except Rat Rodgers.

JM: Walter Camp, (spells) C-A-M-P?

JT: Yeah, Walter Camp, he was a great, but I made his selection a couple of times.

JM: Tell me for the record who he was, Walter Camp.

JT: Well, at that time, I suppose he was the outstanding sportswriter or commentator in the business. And his selection of all-Americans was taken for granted by all the publishers, I knew him.

JM: You made his team twice, you say?

JT: Well, I don't want to be, you see I'm going back 40 years.

JM: I can appreciate that.

JT: Trusty Tallman and I were the first two that I remember of naming on his first team all-American, but honorable mention for all-American. Trusty Tallman and I. And I was on it the second time.

JM: I read somewhere on an old clipping that we have got over there that you were captain and an all southern end on the varsity football team of 1925.

JT: That's correct.

JM: And in both 1924 and 1925 you won all-American honorable mention.

JT: That's right. And you've got a copy of the article in the sports editor of the Atlanta Journal about their selecting

me all-southern. And then I went down, we played the University of Florida on the last game of the season and got beat, but I stayed down there and joined Ernie Nevers' ball club to play Red Grange's ball club there in Jacksonville. I signed up for the tour, but I quit after the first game. I thought I had better get back to school and get my degree.

JM: That would have been professional football.

JT: That was professional football. We were paid.

JM: You played just a game or two, you say.

JT: Two games, and I, but I was paid for both those games.

JM: Did you play against Red Grange?

JT: Yeah, I played against Red.

JM: You did?

JT: Yeah.

JM: Now let's see. What team would have been playing for then? You say Ernie Nevers' team?

JT: Ernie Nevers organized this Florida football team, a bunch of southern boys and he was the head of it.

JM: That would be (spells) N-E-V-E-R-S?

JT: (Spells) N-E-V-E-R-S, oh he, you will find him in the chronicles up there. He was quite a football player.

JM: So that would have been, what did they call their team, just the Florida team or?

JT: Well, the financing didn't come through. The Jacksonville bunch that put on this Jacksonville show fell down on the money. But I had a friend there who was deputy sheriff there and he picked my money up at the gate. And I didn't fool around very long. I got the train that next night and went on back to school. We were supposed to play another game at Tampa.

JM: Who did Red Grange play for?

JT: The Chicago Bears. It was not known as the Chicago Bears then. I don't believe. It was Red Grange's own team. Who was the promoter that put Red over? I have forgotten what that boy's name was. He was the one that was putting it on.

JM: Did the Chicago team beat the Florida team?

JT: Yeah. They beat us 20 something to 17, I believe.

JM: Were you impressed with Red Grange's play?

JT: Oh, yes.

JM: Did he score against you?

JT: Oh, yes he scored against us, but I don't remember. I remember tackling him quite a few times, and he was a hell of a fellow to pull down. I'll tell you that. He would take his legs right up under your lip.

JM: Was he a good open field runner or mostly better through the line?

JT: Oh, he was an open field runner and he was all right through the line, if he got through the line. He was a kind of a plunger.

JM: You played end, did you not?

JT: Uh, huh.

JM: Did you catch many passes or . . .

JT: Oh, I caught quite a few. I caught one pass I remember that beat Maryland, up at the University of Maryland. That was one pass I caught. I caught a couple of passes against Virginia. I caught a touchdown pass against West Virginia. It was the only blemish on their '22 record. It gave us a 12-12 game.

JM: Yeah, that was 1922.

JT: 1922.

JM: And they won all the other games and they tied this one.

Is that right?

JT: That's right. They won other games, but they tied this one.

JM: Did you catch the pass?

JT: I caught one. The score was 12-12.

JM: I'll be darned. Well, now that was before you achieved your real recognition. Were you a freshman then or. In 1922 you would have been what, a freshman or sophomore or, didn't finish until '26?

JT: Well I fell under the rule, when I went to college, up until that time there was no limit on the number of years you could play. But when I went in the rule was changed, but I was grandfathered. So I played five years. I played five times against West Virginia.

JM: Do you recall how you came out, whether you won or lost more games?

JT: Oh, we didn't win any. We tied 12-12 and held them 6-0, but we never did beat them when I was there.

JM: That must have been a pretty glorious thing to tie them. Was that late in the season or early in the season?

JT: It was 1922.

JM: But they probably played some more games after that.

JT: We played them up until, oh we played them after I left.

JM: Okay, you were married June 16, 1934.

JT: I think that's right, yeah.

JM: To Julia Lewis Roseberry.

JT: That's right.

JM: She's still living?

JT: Oh, yeah.

JM: You have two children.

JT: I have one girl, John Hutchinson's wife. The mayor's wife, and James Kay Jr.

JM: They call her Berry.

JT: Berry, Berry, that's my daughter.

JM: That comes from Roseberry, I guess.

JT: Roseberry.

JM: Is Berry her real name or . . .

JT: No, her name is Julia Roseberry.

JM: But everybody calls her Berry.

JT: Berry.

JM: I didn't realize that, she is John Hutchinson's wife, the former mayor.

JT: Uh, huh.

JM: Now James Kay Jr., is he a lawyer or . . .

JT: No, he went to Washington and Lee and he didn't like it too well over there and he came home here and graduated from Morris Harvey. Oh, he has been in I don't know how many, I can't keep up with him.

JM: Would you call him a businessman?

JT: He is a businessman, making good money now.

JM: Is he here in Charleston?

JT: Oh yes, lives up there in the boulevard apartments, up there on the upper boulevard, above the Capitol there.

JM: Okay, I want to get into your legislative career, 1932, was that the first time you had run for the House, do you recall how you made that decision to run for the House?

JT: Well, I was active in county politics, and I was just one that they picked to run. I was elected in '32, '34, '36, '38 and '40.

JM: Did you serve out your full term in '40?

JT: No, I went in the service in October, when did the war start?

JM: December of '41, December 7, '41.

JT: They came through here, the Armed Forces, and interviewed a lot of prospective officers and I happened to be one of them. Bob Kelly and I. We were two selected here and we went from here to Miami Beach for training, boot training. And then when I finished there I went almost immediately overseas. And I served, I had seven battle stars during the campaign.

JM: I want to get into that alittle bit later. I would like to take your legislative career first, so you were elected the first time you ran in '32?

JT: The only time I was ever defeated was when I ran for governor.

JM: When you first elected that was the same time that Governor Kump was elected?

JT: That's right.

JM: So you were in that famous legislative session, the longest session that has ever been.

JT: We were there for I think we had three extraordinary sessions during that time and no pay, I don't know how much money I spent, lending to delegates that just couldn't afford to stay here. They all paid me back, but I asked quite a few of them. I believe the session was 300 and some days, or something like that.

JM: Well, the figure I have here is 240 days.

JT: 240 days. Is that the three sessions, that's probably right. I was just off the top of my head.

JM: Did the three extraordinary sessions run concurrently or one right after the other?

JT: Almost, almost. Almost continuously in session. You see, the Townsend amendment, which was adopted by the people

in the '32 election.

JM: Yeah, now that's the Tax Limitation Amendment?

JT: That's right. All of our then current tax structure, well we passed one bill, went to the Supreme Court, and they knocked it out. Called us back in another session and we passed a second bill. The Supreme Court turned it down. The Supreme Court boxed themselves. I mean, they finally on the third bill, they, the Supreme Court had to give or we wouldn't have had any government.

JM: Now what kind of a bill was that?

JT: Well the big thing was the allocation of that tax rate that could be applied by the counties, the cities, etc., within the levy limitation amendment.

JM: This was the legislation that put into effect what was provided for in (break in tape).

JM: You say you thought you passed it, and then the Supreme Court . . .

JT: We passed it once, thought we had compiled and the Supreme Court said no. So we passed it again, trying to take care of the court's objections and they turned it down again. So here we were broke, as a matter of fact I think Governor Kump probably exceeded his power in borrowing several hundred thousand dollars from Chase National Bank to keep the damn state going. We didn't have any money. And then the third time we passed it. The Supreme Court went along with it and then as far as I know it's been in damn good shape ever since.

JM: How much money did he borrow?

JT: I couldn't say. I don't think he had any authority to borrow any, but he did.

JM: Well in your opinion, did he do the right thing?

JT: He did the right thing.

JM: You think it may have been several hundred thousand dollars?

JT: Well, that figure would indicate to me that we needed more than that. But I have no idea of what the borrowing was, and my present recollection is they never took it up with the legislature.

JM: But this was eventually paid back by the state.

JT: Oh, it was paid back as quick as got a tax bill passed.

JM: Where did he borrow it from?

JT: Chase National is my recollection.

JM: In New York?

JT: Uh, huh.

JM: Were all the legislators eventually paid for their service?

JT: As far as I know, they were paid. Sims (state auditor Egar B) got some advance tax money from utilities, etc., and was able to pay those legislators, but as I said they had been here so long and in those days you got \$500 a year and no travel expenses, no meals, not like it is up there now. And we had a damn sight better people in the legislature then than we have today. Take people like Ernest James, pretty prominent people gave up their time to serve.

JM: Was the Tax Limitation Amendment a good thing for the state?

JT: In the overall, yes. It caused some problems with some of the local taxing units for awhile, but through legislation that was alleviated.

JM: Do you think it's still a proper thing to have in the constitution?

JT: Well things have changed so, and the sources of taxation have changed so, and the means of taxation have changed so that the limitation amendment passes out of the picture. Because they have all gone to indirect, the property tax still holds.

JM: You mean it's still low?

- JT: Well, yes, I mean it's still in effect. It takes a majority vote, you know, to override.
- JM: But I mean, as far as you are concerned, should the Tax Limitation Amendment remain in the constitution very much as it is, or do you think it ought to be changed?
- JT: Well, to tell you the truth, I haven't followed it closely enough to know what the tax developments have been. I haven't been on the floor of the legislature but one time since I left there. I don't go up there. I don't lobby. I don't bother with it. I talk to, alot of them come and talk to me, but I take no active part in it.
- JM: Did you support the consumers sales tax at that time?
- JT: Yes, I did.
- JM: Do you still think that's a good tax.
- JT: The best thing we ever passed. It was a hell of a battle. I mean to get that.
- JM: Do you have any feelings about taking the consumers sales tax off food. Is that a good thing?
- JT: No, I don't think it's a good thing. I think it ought to be a broad tax and apply to everything. It was on food when I voted for it.
- JM: Of course, at that legislative session, right after Kump took office, those were pretty trying times around here, economically speaking, wasn't it?
- JT: Well we were broke. We couldn't pay the legislators, couldn't pay anybody.
- JM: The state employees, were they paid?
- JT: No, they weren't paid.
- JM: Did they eventually get their pay?
- JT: Oh, I think they eventually got it. As a matter of fact, I'm not, it goes back so far, but I think maybe there was some kind of a bond issue or debenture issue to raise

some money to meet the difficulties. I'm not sure of that, but they did finally get paid. I got my money back.

JM: What was your impression of Kump as governor at that time?

JT: Well I couldn't reach any words to praise him to the extent that I feel. He was a gutty man and had some ideas, thoroughly honest, and was one of the best governors we have ever had. I was very fond of him. I didn't support him personally in the primary. I've forgotten who I did support. But I supported him all the way through, and Rocky (Holt) followed him. We had two top notch governors in a row there and then we began to fall off some.

JM: How was Rocky effective?

JT: Well I would say in the first place he had a very favorable legislature, both in the House and the Senate. And he was simply following through with things that Kump had instituted and that had met the general public's approval. And Rocky didn't have anything to do but sit in the boat.

JM: You were in the same school as he, weren't you?

JT: I was at Washington and Lee with him. He taught me in law school at Washington and Lee.

JM: I understand he was quite a brilliant man, academically speaking.

JT: Oh yes, no question about that, he was a smart man, one of the smartest lawyers we've ever had around here.

JM: He was a good constitutional lawyer?

JT: Oh yeah. He somewhat followed his uncle down in Huntington. What was his name? He argued the Virginia debt case in the Supreme Court for us.

JM: You were elected speaker, your first term coincided with the beginning of his administration, Holt's administration.

JT: My first term in the legislature, I was chairman of the finance committee. My second session of the legislature, I was chairman of the judiciary committee. My third

session I was speaker, my fourth and fifth I was speaker.

JM: So the time you were speaker, you were speaker four years?

JT: No, I was speaker three years. I think it was three, maybe it was four.

JM: Well, I mean you were speaker in the 37 and 39 sessions.

JT: Yeah. I was elected speaker in 1936 in a special session. You see the legislators had become members of the new legislature in November. And there was a special session called in December and I was elected speaker and re-elected when the regular session started.

JM: So you served in that special session in December of '36 and then went on in the regular sessions of '37 and '39.

JT: '37 and '39, and I didn't, in '40 you see I dropped out of the legislature. I entered the Armed Services October 1, 1942.

JM: That would have been after you served in the '41 session?

JT: That's right.

JM: Then I assume you did not run for speaker in the '41 session?

JT: No.

JM: And I presume maybe that was because the governor was shifting his support to somebody else.

JT: On, Neely. Neely came in and he didn't want me for anything. So I didn't want to get in the, he put this fellow (Malcolm) Arnold in from up in Boone County, but I took charge of the legislature. I had charge of the House. He couldn't do anything. They finally put him in the penitentiary.

JM: What did he do? Did he steal something or what?

JT: He had his wife on the payroll and all of that kind of stuff, Malcolm Arnold.

JM: What was his first name?

JT: Malcolm. I was down at the jail one night to see Ray Henderson and Ray asked me if I would take Malcolm out for a ride. I didn't know he was in there.

JM: Did he actually serve a term in the pen?

JT: Oh yeah.

JM: Was he tried here in Charleston?

JT: I don't know whether there was a trial or he pleaded guilty. I'm not so sure.

JM: What was the charge?

JT: Padding the payrolls. He and Bus (Lester) Perry, were stealing them blind up there. And Bus went to the pen too.

JM: Bus Perry?

JT: Yeah, of Logan.

JM: He was a member of the House?

JT: Uh, huh. He was running, when Arnold was elected speaker he put the Kanawha delegation all back by the Republicans, but it didn't help him. He couldn't do a thing. I had the majority of the people with me on every move that I made, gave him a pretty rough time. As a matter of fact, I finally in the last days I had to take charge of the things in the House to get the school bill passed. Well, it was interesting.

JM: It must have been very interesting. Well I didn't realize you were chairman of the finance committee when you first came into the legislature.

JT: Not my first term.

JM: Not your first term?

JT: I was chairman of the banking committee my first term.

JM: I see, okay.

JT: I was chairman of the finance committee my second term.

JM: Well then when were you chairman of the judiciary committee?

JT: They changed that when I was, no I wasn't. I remember now. We put John Amos in that judiciary position. It's pretty hard to remember all of those.

JM: Sure. But you did serve on all three committees, banking, finance and judiciary as chairman.

JT: I'll have to ask my wife to research some of that stuff. I probably didn't. I was on the judiciary committee. But I don't think I was chairman afterwards, under Arnold's administration.

JM: Well at least you were chairman of the banking committee the first term.

JT: And chairman of finance the next term.

JM: So that put you right in the middle of all those economic problems I would think.

JT: No question about it. When I was chairman of the finance committee we had a rough time getting the revenue together and, but it was all a lot of fun and to think of those, 242 days, you say.

JM: Yeah, 240 days.

JT: 240 days and \$500.

JM: There was no provision for paying for emergency sessions?

JT: No, now they have got, we got \$500 a year, I don't know what they get now, \$5,000 a year or . . .

JM: I don't think it's quite that much. Something like \$4,800. But I'm not sure.

JT: And plus living expenses.

JM: Yeah. Well, you must have had a real sense of achievement of coming through that session. I mean, after all, all you did something. It wasn't wasted effort, was it?

JT: No, I, at least I don't. We pulled the state out of a hell

of a hole there in those three sessions. And were on good grounds when I left there.

JM: Do you recall while you were speaker what the big issues were under the Holt administration?

JT: Yes, I remember it was the county school system. I think that was the big issue, because I remember I had to call a caucus, and the school people had a hell of a lobby and they had enough to suspend the rules against me, so I recessed the House and called a meeting in my office and got enough signatures to block the suspension of the rules and that killed it. If I hadn't done that why they would have passed it.

JM: The teachers were against what you were trying to do?

JT: No, hell no, the teachers were for it. It was a teachers bill. But we didn't have the money. Lots of people in the legislature will grant and give money whether they have got it or not. If you don't have some thinking in there of where you are headed, you are in a hell of a fix.

JM: Well, what did the school bill provide for?

JT: Well, I've forgotten now.

JM: Was that the so-called unit system or the . . .

JT: The county unit system. No, we had already put that in effect.

JM: That's what I thought, yeah.

JT: This was strictly a salary situation.

JM: Did you have any trouble getting elected speaker the first time?

JT: No, the first time I ran for speaker was in the December session, the extraordinary session and I beat, I had two opponents, Bill LaFon and Alf Taylor, and I had a majority on the first vote against both of them.

JM: And then you had no trouble getting elected to a second term?

JT: No, there wasn't any opposition.

JM: That's pretty good, coming from Kanawha County. There's a lot of resistance against Kanawha County people.

JT: Oh yes. I treated them fair in every county. I gave them representation on the committees. I, if I do say it myself, I was probably a popular speaker at the time.

JM: Is there anything that stands out in your mind as your main accomplishment as speaker of the House?

JT: I expect the reorganization or the setup for the school system was the best accomplishment and the renewed sales tax. And probably, no I don't think we increased the sales tax, three percent.

JM: I thought it started out at 2 percent?

JT: Was it two?

JM: I think it did.

JT: Finally got it to 5.

JM: Yeah.

JT: No, I don't know of anything. I try to keep a level head on this thing. I don't have any regrets about my service in the legislature.

JM: You view the whole thing as a pleasant experience or rewarding experience?

JT: Oh definitely it was a rewarding experience. It was both educational and I didn't lose any friends.

JM: Now we come to sort of an interesting phase, I think, of your career. You said in 1940 you were selected to go into the army, or the air force, wasn't it?

JT: Well, as I said the Armed Forces scouts through the country here. I'm sure you are aware of that, interviewed a lot of people and granted them outright commissions, and I didn't have any idea of volunteering at that time. I was attending to my own business. But when they came in here and interviewed

me why, if you think I'm qualified and you want me why I'll go. I didn't hear anything more from them for a long time. The next thing I knew why I got this telegram. And Bob Kelly got it the same day, report to Miami October 1.

JM: Miami, Florida?

JT: Uh, huh.

JM: Was that October 1, 1940?

JT: October 1, 1940.

JM: So that was before we actually got in the war. Well, it must have been '41. Well I think you served in that '41 session in the House, did you not? (Break in tape.)

JM: Well I think we have it pretty straight here. I think you did serve in the 1941 legislative session at the beginning of Neely's first term.

JT: Yes. I served in Neely's first term of the legislature. That was '41.

JM: Yes. And that was when Arnold was speaker.

JT: And then I went in the service in October of that year, I guess.

JM: Well, I believe it was the next year, '42. In the primary of 1942 you ran for attorney general to finish out Meadows' term. Isn't that right?

JT: I was nominated. I beat what's his name, a big fellow from up.

JM: That was Wysong.

JT: Wysong, yeah, I beat Wysong. And I beat Salisbury in the general election.

JM: Yeah.

JT: But I was already in the service.

JM: Right. But you hadn't been in very long. You had just gone in in October of '42 and then the election was the following month. Doesn't that seem right?

JT: Yeah, I was in school. I was in training school in Harrisburg, Pennsylvania.

JM: When the election was held?

JT: When the election was held. And Clarence Martin came over and picked me up and took me over to Martinsburg to take the oath of office, because there was some question as to when you had to take the oath of office. And I took the oath of office over in Clarence Martin's then I came back here and had a fight as to who was going to succeed me. And I tried my best with Neely through Arthur Koontz, to agree to put (Ira) Partlow in there. And Neely said when the appointment becomes mine, I'll make the appointment. You'll have nothing to do with it. I said very well, governor, we'll see. So I got the legislature to pass a bill giving me the right and he vetoed that and they passed it over his veto.

JM: Now you made a personal appearance here to get the legislature to do that.

JT: I didn't make any personal appeal.

JM: Didn't you appear before the legislature or one of its committees?

JT: I appeared before the legislature. Not in that behalf, I appeared before the legislature as a guest on something else. I was in uniform at the time and I wouldn't have anything to say as long as I was in uniform, politically. But that was, I don't know whether it was before or after. But we beat Neely badly on that proposition and I went on and named Partlow to that and Arthur Koontz tried to get Neely to agree to it. He was the best man to take the place.

JM: You say you were at Harrisburg, Pennsylvania.

JT: Harrisburg, Pennsylvania. In the intelligence school.

JM: Then Clarence Martin, was that the older Clarence Martin?

JT: That was the senior Clarence Martin. He drove over from Martinsburg and picked me up and took me over to his office to take the oath of office, because there was a question of when you had to take the oath of office.

JM: He was the father of the one who later became a state senator.

JT: Oh yeah, uh, huh.

JM: And he almost became a U.S. senator.

JT: He was the one and ran against Neely.

JM: So when did you take the oath of office? I guess it was, was it right after you were elected?

JT: There was a conflict in the statute as to when the oath of office and we wanted to be sure so we took it ahead of time. And now I finally came before the legislature and took the oath of office down at the secretary of state's office.

JM: Why didn't you and Neely get along?

JT: Why I don't know. I never did like him particularly. I didn't like his ways. And as long as I was lined up with the Kump-Holt section, he hated my guts, and I didn't have any love for him.

JM: Well in the 1940 election, in the primary, did you support Carl Andrews?

JT: Yes.

JM: And he was running against Neely of course.

JT: Oh yeah.

JM: So that's one reason you didn't get along, I guess.

JT: But I beat Neely's man in the primary.

JM: In that same election, well let's see, in the 1942 election you beat Neely's man for attorney general. That's when you were going for Meadows' unexpired term.

JT: Was that in '42?

JM: Yeah.

JT: That was in '42. I was already, as I said I was up in Harrisburg on the election.

JM: Well you beat Neely's man in the primary of that year. That was Wysong.

JT: Yeah.

JM: Then you went on and beat Salisbury in the general election. Well I read somewhere that you were probably the only man in the whole air force who was a general and a colonel at the same time.

JT: Yeah, attorney general of West Virginia and colonel.

JM: Well you didn't actually serve at all as attorney general, did you?

JT: Yes, I took over the office and made some appointments and selected the staff and then I named Ira Partlow and they were on my neck in the army. Neely had gotten on the army that I was just up here in Charleston playing politics in uniform. So I had to take a plane out of here. Took off from in front of the Capitol and flew to Cincinnati and got a train back to Meridian, Mississippi.

JM: How long were you here, acting as attorney general?

JT: Oh I, Neely got on me with his friends in Washington and I called Happy Chandler, who was a good friend of mine, and Happy put a stop to it.

JM: What was Happy then?

JT: He was a U.S. senator.

JM: From Kentucky?

JT: Yeah, we were very good personal friends.

JM: Well you must have been here no more than a few days.

JT: I wasn't here but a few days and I got this call from my commanding officer at Meridian, Mississippi and he told me to get on back there. Said you've got me talking to people I have only read about heretofore. I told him I would get away in a day or two. I had my military clothes out for cleaning. I had been wearing civilian clothes. He said that's alright. When I got back to Meridian, he

got a big kick out of it. He turned around and made me commanding officer of all the liquor and he controlled the distribution of the liquor on the base there.

JM: That was in Mississippi?

JT: Yeah, that was Mississippi.

JT: Where, Biloxi, or where?

JT: No, Meridian, our base was at Meridian. But we did a lot of our flight training over at Biloxi.

JM: Well I understand you had your choice. I mean you could have stayed here and served as attorney general.

JT: Oh yeah, I could get out of army any time I wanted to.

JM: Why did you decide to stay in?

JT: Well I just made up my mind it would look a little chicken to go in the army and then step out. On that basis it didn't look very good to me. So I spent three years over there.

JM: Where were you most of the time, in the army, the air force?

JT: Well I landed in Algiers, no Morocco. What was the name of that port. Anyway, we went through training there and then moved over into Sicily, then from Sicily on to, well we went over to Sardinia for awhile and then back to Italy, then to France, and ended up in Germany.

JM: You were an intelligence officer?

JT: Well, that was my classification when I went in but they violated the rules to be an operational officer in the air force you had to be a pilot. I know I had never flown a plane. But nevertheless they made me head operations officer of the whole group. Nobody raised any cane about it. I was director of the flights and the operations.

JM: Now what operation would that have been, what general operations?

JT: Well, we were a fighter squadron, protecting the big bombers and ground attacks with low level bombing.

JM: You were operations officer for your squadron?

JT: For the group.

JM: For the group, which would include several squadrons.

JT: Well it includes three.

JM: You recall the name of the group?

JT: The 84th group, I believe.

JM: Let's see, I've got it here, the 86th.

JT: 86th group, that's it.

JM: Known as Lee's Lieutenants. Do you recall that?

JT: Lee's Lieutenants. Our colonel was Lee and over there was a big sign, Lee's Lieutenants, on a billboard over there.

JM: You were the operations officer for that group?

JT: I was directing the operations of the flights.

JM: Even though you had no flying experience and no flying training.

JT: I did a good bit of flying, but I flew with the bombers, but I had no, I never had my hands on the wheel.

JM: You participated in some bombing raids?

JT: Oh yes. I participated in quite a few. Our outfit, we were not high-level bombers. We were low-level ground bombers. We were in support of the ground forces. We were, to clear out the infantry in front of them.

JM: Well I have here that you won seven battle stars for invasions in Sicily, Salerno, Anzio, and southern France, and in fighting in Italy, France and Germany.

JT: Seven is right. I was up, I don't know where that information is, I've got seven stars, battle stars.

JM: Four of those in the Mediterranean operations and three in

the European plus the bronze star for meritorious achievement.

JT: I led the invasion of our group into Sicily, bombed on the mainland. I was the officer in charge. I was the senior officer in charge our invasion of Sicily. That's what I got the bronze star for.

JM: At that time you were a little bit old, really, to be going into the air force at age 40.

JT: I was the oldest man, than anybody in the outfit where I was, not even the cooks.

JM: Did that bother you at all, going in at that age?

JT: No, it didn't bother me. People may have given me a little bit more respect than the younger ones. But that was helpful in the effort.

JM: Sure. Did you go in, when you were first commissioned, you were commissioned as a lieutenant or what?

JT: Captain.

JM: Captain, and then you became lieutenant colonel before you out, discharged with the rank of lieutenant colonel.

JT: I believe it was finally raised to colonel.

JM: I have here that your group flew 3,625 missions and piled up claims of destroying 1,114 enemy locomotives. 10,420 rail cars, 515 planes, 9,960 motor transports, in addition to a lot of bridges and ammunition dumps, etc. Now were you participating in a lot of those operations or most of them?

JT: I was directing them.

JM: This whole thing.

JT: No, I wouldn't say the whole thing. But I've got pictures over there to verify that whole thing. I've got cans of film over here, gun camera film of what we were doing. I brought that home with me.

JM: Do you know how many missions you flew on?

JT: How many I flew on. I wasn't supposed to fly on any.

JM: Why not?

JT: I wasn't a pilot. But I mean, we were using a P51 plane, and that's only a one-passenger plane, but I would get in the back end and fly with them. And then we later got the larger plane. But nobody ever bothered, we had three presidential citations for our unit.

JM: Well you must have flown on a lot of those missions.

JT: Well maybe I flew more as an observer than as a, I didn't fly on any of them as an active participant.

JM: Sure.

JT: I flew on some of them and sometimes we would take an observation plane and follow them. We had problems with a bunch of darkies that they sent over on, oh what's the name of the plane. Barcelona. Those darkies would go up in the air and drop their bombs in the ocean and wire success back and god dammit they weren't hardly out of sight. So had to put tracers on them to make the bastards fight.

JM: Who were they, you say, you mean they were American . . .

JT: They sent a group. They sent a whole American squadron of colored people into our headquarters at Barcelona. Yeah, it is, Barcelona, they weren't very much interested in dropping their bombs on targets.

JM: Were you ever shot at, or felt like you were in danger?

JT: Oh yeah. I never got hit. Had vehicles I was in and hit but I never got hit.

JM: Okay, I have here that you came back to Charleston in 1945, May of 1945, or no it was August of 1945, was it not?

JT: Damn if I know.

JM: Then you were appointed assistant attorney general by Partlow after you got back?

JT: Yeah, I worked for him, oh I don't know how long and then I

ran for governor in '48, and when I lost that why I went to Greyhound as general counsel. I stayed with them until I retired.

JM: How come you to decide to run for governor?

JT: I expect Rocky Holt was probably into it as much as anybody else.

JM: You would have succeeded Meadows. Who was supporting Patteson at that time?

JT: Oh Meadows and Neely.

JM: As I recall you had the support of the Charleston Gazette.

JT: Yeah, strong support. That was old Ned. He and I were good buddies.

JM: Who was that?

JT: Ned, senior.

JM: Yeah. And I think Harry Hoffmann was . . .

JT: Oh, Harry Hoffmann was a real good friend of mine.

JM: He was doing some of your public relations then, I think, as I recall.

JT: Well I didn't have very much of that. He, Harry would write some articles every once in a while. They were complimentary but he never . . .

JM: You don't recall how you reached that decision to actually run?

JT: No, I don't know what actually caused it. Bob Kelly probably I suppose thought the war record would help. But the organization fell down on me. I had to finance the whole damn thing myself. I did spend money . . .

JM: You think that is the main reason you lost, the collapse of the organization?

JT: Lack of funds to set up an organization. Okey had plenty of money.

JM: I remember at the time. It seemed to me that you were extremely popular particularly in this area. And I was just beginning then as a newspaper reporter and I was surprised at the results.

JT: Well the southern end beat me. I carried the northern end.

JM: You did, really.

JT: Ohio and up, Mingo, Logan and McDowell, I only carried this county by 5,000 or 6,000.

JM: In those days, those southern counties, and Kanawha too I guess, were much more subject to a machine type.

JT: But I, had a good time. I didn't have any organization.

JM: Did you have a pretty vigorous campaign? You got around all over the state.

JT: Oh, I did myself.

JM: Do you recall some of the issues of the campaign?

JT: You have reference to the . . .

JM: To the 1948 governor campaign, primary.

JT: Well I don't know of any particular issue that I can call to mind now, but Okey had been sheriff of Fayette County, and he had been actually the governor during Meadows' administration. I know in the campaign it came out that part of the purchase orders in the purchasing department, O. K., O. I. P. I didn't bring that up myself. As you remember there was another candidate in the field. What was that fellow's name from Elkins.

JM: I don't recall who that was.

JT: He was a former member of the House. He was running for governor, too. He was the one who brought that out. What was that fellow's name?

JM: I can look that up.

JT: An eccentric sort of fellow. He didn't get anywhere. I

was not terribly disappointed in the results of the election. I knew what I was up against. I knew it was an uphill job, because here you've got the governor, and all of his organization. They are all set up, although some of them come over to my side, there weren't enough of them.

JM: You really didn't expect to win?

JT: At first I thought that maybe the atmosphere was such it would turn in my favor, but I soon was disillusioned on that. But I made as tough a fight with as little money as I had. They spent hundreds of thousands of dollars on advertising. And I didn't spend a hundred thousand dollars in the whole damn . . .

JM: That's quite a lot of money then, wasn't it?

JT: Yeah. They had full page ads in the paper. They had a lot of radio and TV time. But I couldn't afford it.

JM: Did they have TV then. TV wasn't much of a factor at that time, was it?

JT: Yeah, they had TV and they had more radio. I was on the radio in Morgantown once, once in Huntington, I think. That's going back pretty far to recollect any particular, I enjoyed the campaign.

JM: How did you travel mostly, in your own car or how?

JT: Traveled altogether in my own car. And some said that hurt me. I was driving my Cadillac with license 32 on it. It is still on it.

JM: Really. Does that stand for the first year you were elected?

JT: No. George Parrish gave me that license number when he was, I have had it since 1933 or '34. I have forgotten which. Ever since I have doubted that I would get it again, although I got a nice letter from Rockefeller last year giving it to me again. I hadn't applied for it.

JM: Do you still drive a Cadillac.

JT: Yeah. The same, I think it's about five or six years old now.

JM: Well, Homer Hanna was a big man then, too, wasn't he, during the Patteson campaign. Was he a factor in that campaign?

JT: Not to my recollection was he.

JM: Well, I might be wrong on that.

JT: I don't think Homer, as a matter of fact, Homer was a pretty good friend of mine. I don't think he was very active.

JM: Well, I just sort of assumed that. I didn't know.

JT: Uh, huh. I don't think that's right. At least it didn't come to my observance.

JM: Do you think you could have defeated Boreman, if you had been nominated?

JT: If I had been nominated, yes, then there would have been no question.

JM: Do you feel that Patteson was a good governor?

JT: I actually didn't pay that much attention. I went back to working. I figured I had spent enough time in politics, and it was time to get back to work, for I went to work with Greyhound, and I was there from '48 to '58, '68. I was with them about 20 years or so. I retired. I have forgotten what year I did retire.

JM: I've got it here. You retired in April 30 of '65.

JT: '65. Well, that's about right.

JM: So that would have been, '48 to '65 would have been 17 years. I've got a good question to ask you. Did Patteson make the right decision on locating the medical school?

JT: No. Obviously, that's the worst mistake that he made. There was just no sense in moving a medical school up there on the border of Pennsylvania, where 90 percent of the state is out of the area, as far as population, etc., is concerned. And I think it was a terrible mistake. I'm not sure in my mind what caused the selection. I don't know why he selected it.

JM: Obviously, if you had been governor, you would have put it in Charleston.

JT: Why, I don't know that I would necessarily have put it in Charleston, although that is the ideal setup, but I had in mind several years ago, I'm trying to think who the president of the university was when we were talking about this. Met at the school at that time.

JM: Probably Stewart. Was it Stewart?

JT: No, but anyway we talked about it, and I had an idea at that time that what we ought to do is go somewhere in the central part of the state, around Sutton or that area, and buy up some acreage and set up a real institution, and he was for me on it. We couldn't get support on it.

JM: When was this, was this while you were running for governor or . . .

JT: No, it was before I was running for governor. I'm trying to think of the name of the president up there, a hell of a fine fellow. But he agreed with me on the idea. We put the coal school up there, and it's a hell of a long drive from the populous part of West Virginia to Morgantown. It's not as bad now as it was then. But it's still a pretty long drag.

JM: Do you still feel that would have been a good idea?

JT: I think if you had picked up a place up there, oh a thousand acres or something like that up there around Sutton or in that area, which is the geographical center of the state. You could have built a real school there, and transportation is available. I think it would have been a good idea, better than moving into Charleston.

JM: I could look up the president's name.

JT: Lawall.

JM: Lawall?

JT: Lawall. Lawall.

JM: Didn't Neely have some trouble with him or something. How do you spell it?

JT: (Spells) L-A-W-A-L-L, I think.

JM: You told me about, after the campaign for governor you became general counsel for Atlantic Greyhound.

JT: Not to start with. I started out as counsel for the Atlantic Greyhound which operated out of here, and I set up our own self-insurance. I started the self-insurance in Greyhound, here in Charleston. And then, after they merged etc., I was general counsel for the southeastern section. I wasn't general counsel of the entire company.

JM: That would include all of down south, down in Florida and Georgia and down in there.

JT: Yeah, my jurisdiction was in the southeastern part. I got the self-insurance program started and of course organized adjusters and attorneys and all of those.

JM: Now when you retired in 1965, you said at that time you were going to travel a lot. Did you do that?

JT: Well, I've done some, but I haven't done as much as I expected to do. I quit that, and I very quickly got back, involved up at the Statehouse.

JM: I have here that Governor Smith named you as motor vehicles commissioner in June of '65.

JT: I had just quit Greyhound, and Hulett called me and asked me if I would take that job. I really didn't want the job, but Jack had got the things in a pretty bad situation up there. I says I'll go up and spend six months or a year and try to get the thing back on track. Instead of that I spent four years.

JM: Well, what came out of that experience? Was that a good experience for you?

JT: Well, I don't think the input to me was as good as my input to them, because of my experience with Greyhound and the transportation system as a whole. I was able to make a lot of changes and to do a lot for the department and tighten up on our regulations, etc., and tighten up on our counties. They weren't paying any attention to drunken driving or anything before I went up there. I enjoyed the work up there. As a matter of fact, when what-you-call-it took over, he sent, from Beckley over there to take over in my place,

but he wanted me to stay.

JM: Arch Moore did?

JT: Arch wanted me to stay with. And I says no, I don't think it would look right for me. Anything he did, if I didn't agree with it, it's political, and just forget about it. I just quit work then, except for my own business.

JM: Well, do you still practice law or . . .

JT: No, no I got too far behind on that.

JM: You have some connection with the Empire Federal Savings and Loan?

JT: No, I'm just on the board, vice president. This is the Kay Company Office here. It's a company I formed in 1929 to take over my grandfather's estate and I've been running it ever since. It's a big job in itself.

JM: Would it be called just a . . .

JT: Personal holding company.

JM: Kay Company?

JT: Uh, huh. Yeah, we have assets here of several million dollars.

JM: Really, what do you think of our situation in state government today?

JT: I prefer not to be quoted on what I feel about it.

JM: Okay.

JT: I would say offhand it's rotten.

JM: Is Rockefeller doing a good job?

JT: Not in my opinion.

JM: But you don't want to be quoted on that?

JT: No, it would serve no useful purpose.

JM: What would you do if you were there, do you have any idea, if you were governor today, is there any type of reform you would support?

JT: Yes, the things that needed to be done are three or four years behind time in starting. The Statehouse has been overloaded with employees until it stinks, and I don't know of any other state that we have had as much friction and fraudulent conduct as we have had in the last few years here at the Statehouse. Which, you have got to put the finger on the governor as responsible for it. I mean, hell, he is the man who could stop it, if he wants to. I can't give much of a vote of confidence in Rockefeller. I like him, but I have never been to his house, never been his guest.

JM: If Kump were governor today and Roosevelt were president, do you think they could handle the situation?

JT: Well, they didn't do bad. Kump was not a Roosevelt man.

JM: He wasn't?

JT: I'm talking about the way of running the government.

JM: A different style.

JT: Entirely different. Of course I'm an admirer of Roosevelt, not a great admirer. I am a greater admirer of Kump than I was of Roosevelt.

JM: Well, Kump was, I suppose you might call him a fiscal conservative.

JT: He was a fiscal conservative and then also morally conservative. He didn't put up with any foolishness.

JM: I'm not sure what you mean by morally conservative. I think you mean he was a man of great integrity.

JT: Integrity, and he believed in integrity in the operation of the state, and he wouldn't put up with any foolishness. Of course he was very fortunate, with the talent of Rocky Holt in there as attorney general to advise him. That was a great . . .

JM: He really helped a lot?

JT: Oh yeah, he helped him. He won those cases. Questionable

tax cases that meant a hell of a lot, saved the state financially. A pretty good team.

JM: He probably saved the tax limitation amendment.

JT: I don't doubt that, not only that, but the other tax measures, etc., that the Kump administration took to the Supreme Court, and Rocky won the cases, a great help to the state.

JM: Is there anything else that you would like to comment on as far as national, state, local or personal affairs are concerned?

JT: No, I don't think so, I have talked too much now, I have no personal ambitions politically or any other way as far as that is concerned. I was 80 years old yesterday and that's getting pretty well up there.

JM: Do you ever think you would like to be back in the thick of things in politics?

JT: No, oh I don't know what's going to happen.

JM: Well I certainly thank you very much for taking this time.

JT: Glad you came by, if I can be of any help, I don't know what the purpose of it is, except to write a story.

JM: Well you know you are a man of some significance in the history of Appalachia. Well unless you can think of something else.

JT: I don't know of anything else. I got a note from Ned.

JM: Well we'll just close it off and hope that history is better off by reason of our conversation here today.

JT: Well if anything else that comes up that I can think of to add to it, I'll give you a ring. I don't know of anything that . . .

JM: Okay, well thank you again, Mr. Thomas.